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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,547	07/06/2007	Ruth Iaconi-Forrer	SYNT-0271	4838

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EXAMINER

GEHMAN, BRYON P

ART UNIT	PAPER NUMBER
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3728

MAIL DATE	DELIVERY MODE
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11/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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1. The applicants' refer to drawings submitted on August 28, 2009. However, no drawings are part of the last response.
2. It is now clear that there has been no submission of separate formal drawings of record in this application. It is required that drawings be furnished in response to this action, and failure to do so will be held non-compliant.
3. In view of the papers filed July 6, 2007, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by adding Karina Candrian as one of the inventors.

The application has been corrected by the Office of Initial Patent Examination (OIPE) for the Office records to reflect the inventorship as corrected.

4. Claim 46 is objected to because of the following informalities: In line 7, respectively should be followed by a comma. Appropriate correction is required.
5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 35-37 and 39-52 are finally rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 35, line 3, "the surgical instrument" lacks antecedent basis and is indefinite in its relationship to the previously defined "surgical component". See also lines 6 (twice) and 10.

In claim 46, line 5, the holes are not collectively "configured to receive a (single) surgical component" as recited.

7. Applicant's arguments, filed August 28, 2009 have been fully considered and are persuasive. The art grounds of rejection have been withdrawn. However, formal drawings are not found as have been required. Also, several 112 problems remain. Submission of formal drawings and correction of the 112 indefiniteness is still required.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryon P. Gehman whose telephone number is (571) 272-4555. The examiner can normally be reached on Tuesday through Thursday from 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu, can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bryon P. Gehman/
Primary Examiner, Art Unit 3728

Bryon P. Gehman
Primary Examiner
Art Unit 3728

BPG